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CLERK, U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
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DENNIS OBADO,	:	**UNITED STATES DISTRICT COURT OF**
Defendant	:	**NEW JERSEY**
Vs.	:	New Jersey Supreme Court No. 071654
DREXEL UNIVERSITY	:	District Court Doc.no.
Plaintiff	:	
	:	**NOTICE OF REQUEST FOR REMOVAL OF NEW JERSEY SUPERME COURT APPEAL, : TO DISTRICT COURT OF NEW JERSEY**
	:	
	:	

I Dennis Obado, was the Defendant/Appellant in the above captioned matter, and for just cause, for review of Federal Questions in a re-trial, regarding the judgment secured by Plaintiff, for the following reasons:

1. The Defendant's Petition for Certification, was denied on March 11, 2013, see attached. On April 1, 2013, Plaintiff sent a notice of appeal to New Jersey Supreme Court, and the same to Defendant's counsel on April 5, 2013. Upon further guidance by the District Court clerk, Plaintiff was subsequently told that a Notice of Removal was the correct Court method, for this case to be tried in District Courts. Thereafter, Plaintiff now request for Removal.

2. I Dennis Obado, the Appellant in the above captioned matter, respectfully request for the removal of this case from New Jersey Supreme Court, on a Petition for Cert, due to a miscarriage of justice at trial in State Courts, and since the State Court Judges, did not address controlling Federal issues regarding student loans, and issues of legal standing, res judicata, and collateral estoppel, which precluded the filing of this civil suit in State Court, and did not address why this civil suit could not be brought in the District Courts, on a counter claim, in the FDCPA forum, rather than New Jersey State Courts.

3. The New Jersey State Courts, lacked personal, and subject matter jurisdiction, since this student loan matter involved issues relating to federally financed

student loans, by Sallie Mae, and federally sponsored, and or financed governmental programs. In addition, the cause of action initially arose in an FDCPA forum, where Plaintiff filed an FDCPA claim, for loan collections harassment, against NCO, the Defendant's former Debt Collectors.

4. The cause of action started in an FDCPA forum, and was continued in the same Federal Court forum. The Plaintiffs improperly circumvented the jurisdiction, in which issues of Federal law, were not reviewed, and entertained by State Court judges, when Plaintiff brought the Federal Issues to the attention of presiding State Court judges, on Motions for reconsideration.

5. The Defendants deprived Plaintiff of Equal Protection of the Fourteenth Amendment, by applying their loan policies in a manner that was discriminatory, and capricious, by not checking if Plaintiff qualified for student loans, since Plaintiff's credit would not have qualified him for the loan, and since Plaintiff would not have benefitted from the loan legally, since Defendant did not qualify for this student loans. In sum, Plaintiff was mislead into thinking he could benefit from the loan, when he could not legally. Defendants falsely certified Defendant's ability

to benefit from this student loan, which makes the secured judgment, and bank liens, secured on an illegal basis.

6. This civil suit should have been dismissed due to a prior release of claim agreement, made by DREXEL UNIVERSITY'S previous debt collector, NCO, which included the release of claims by DREXEL UNIVERSITY, as they are NCO's client, according to the release of claims agreement.

7. The trial judge should not have been recalled from retirement, to preside in this matter, when their were competent judges before the Middlesex County Civil Courts, who could have presided in this case.

8. In trial, it was not clear who owns the debt in this matter, since DREXEL UNIVERSITY have had multiple debt collectors to represent their student loan debt collections efforts. DREXEL UNIVERSITY, have not shown that they had "legal standing" to file this civil suit, since at trial, they did not show proof of chain of assignment, and transfer, of the alleged student loan debt, or ownership of the debt, from A. Scott Watson, PC, NCO, and then to the law firm Of FEIN, SUCH, KAHN & SHEPARD,P.C, via a legal instrument of debt ownership, that is notarized and dated prior to the filing of this civil suit, in the entire State

Court civil proceedings. Their debt collectors in this civil suit, FEIN,SUCH, KAHN, & SHEPARD, P.C., did not introduce any proof indicating that they are veritable debt collectors, licensed by the State of New Jersey, as debt collectors.

9. The Defendant/Appellant would like the District Courts to retry this matter, since Defendant indicated to State Court judges, that Defendant was prejudiced by the arbitrary deprivation of a State Court Bar Panel Hearing, and for Discovery non-compliance, where Defendant indicated he only had one quarter of the requested Discovery needed, to defend against the Plaintiff's alleged claims.

10. Defendant would like the Courts to determine if Plaintiff's secured unjust enrichment, by not subjecting Defendant to loan screening, and not verifying if Defendant qualified for any loans, and if Plaintiff's falsely certified Defendant's ability to benefit from the loan and DPMS program, when Defendant did not meet the legal requirements, to gain admission to medical school, in 2007, especially when Plaintiff's did not conduct any screening of Defendant, to determine if Defendant qualified for student loan, and admission to medical school.

11. Since the "Supremacy Clause" of the United States Constitution, indicates that Federal Law preempts State contract law, the Plaintiff, are requested by Defendants to show cause, regarding why they are exempt from Federal law compliance, regarding student loans, and student loan eligibility verification requirement towards Defendant, for unjust enrichment.

12. Defendants terms of contracts, were misleading, and deceptive, and in violation of Defendant's right to Equal Protection of the Fourteenth Amendment. Since they were changed along the way, regarding alleged defaulted collection costs, from 33% on the loan contract, to later 50% in a collections letter.

13. Plaintiffs also never provided Defendant with notice of cancellation of loan, and the deadline notice for cancellation, nor do the terms of the Constantine Herring Loan contain the same, according to universal student loan Federal requirements.

14. When Plaintiff wrote a letter to Defendants loan department, to apply for student loan discharge, the Defendants were non-compliant, and did not respond back to Plaintiff. The Plaintiff had a right to apply for a loan

discharge, if it was secured in a misleading, and illegal manner.

15. Plaintiff request for enlargement of time to gather all the pleadings presented at New Jersey Supreme Court, since Plaintiff is below national poverty brackets, see attached.

16. DREXEL UNIVERSITY'S Counsel in this matter, were illegally awarded sanction fees, since they did not comply with New Jersey's "Safe Harbor" rule, for alleged "frivolous" Motions, pursuant to New Jersey Court Rule 1:4-8, since Plaintiff was never provided with a warning, and time for withdrawal of Motion for Reconsideration. Contrary to this award of sanctions, the Plaintiff was entitled to reasonable access to the Courts, to address fundamental injustice, and error of Federal law, which was Plaintiff's intent, as the motions for reconsideration demonstrate. None were harassing, or abusive, as alleged by DREXEL UNIVERSITY'S Counsel. DREXEL UNIVERSITYS' Counsel, did not meet this burden of proof, in New Jersey State Courts, nor did they meet the burden of proof, warranting a civil judgment, where trial judge overlooked all Federal law pertaining to student loan, loan verification, and eligibility criteria of DREXEL UNIVERSITY.

17. The Defendants FAFSA application was never processed, since Defendant did not provide immigration documents.

FOR THE REASONS STATED HEREIN, the PLAINTIFF, DENNIS OBADO, Respectfully requests for removal from New Jersey Supreme Court on Petition for Certification, to be retried in New Jersey Federal Courts, and or Reversed, including the lifting of all bank leans, due to the illegality of the judgment, since Federal law, regarding student loan, and student loan eligibility, and verification and loan screening for qualification of student loan, was not adjudicated accurately, in New Jersey State Courts, and Defendant could not prove his case, due to prejudicial Discovery violations by Plaintiff, where Plaintiff withheld material loan policy, loan eligibility screening, and verification of documents regarding qualifications for loan, Discovery, which had the potential to reverse the judgment.

Dated: May 10, 2013

[signature]

Dennis Obado

Note: Supporting documents will be mailed subsequently w/ Amended Notice of Removal